

HOUSE BILL REPORT

EHB 1784

As Passed Legislature

Title: An act relating to establishing an exception to the requirement that vehicle license plates be visible at all times for vehicles using certain cargo carrying devices.

Brief Description: Establishing an exception to the requirement that vehicle license plates be visible at all times for vehicles using certain cargo carrying devices.

Sponsors: Representative Thai.

Brief History:

Committee Activity:

Transportation: 1/18/22, 2/7/22 [DP].

Floor Activity:

Passed House: 2/15/22, 96-1.

Passed Senate: 3/3/22, 48-0.

Passed Legislature.

Brief Summary of Engrossed Bill

- Provides that the display of a single license plate properly attached to a vehicle that has two license plates properly attached may be temporarily obstructed by a trailer hitch; a wheelchair lift or wheelchair carrier; a trailer being towed by the vehicle; or a bicycle rack, ski rack, or luggage rack.
- Provides that the display of a single license plate properly attached to a trailer may be obstructed by a device for transporting a forklift used for product delivery purposes.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 28 members: Representatives Fey, Chair; Wylie,

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1st Vice Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman, Dent, Donaghy, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland, Taylor, Valdez, Walsh and Wicks.

Staff: Beth Redfield (786-7140).

Background:

Vehicles required to be registered with the Department of Licensing (DOL) must display license plates or decals assigned by the DOL.

License plates must be:

1. attached conspicuously at the front and rear of each vehicle if two license plates have been issued;
2. kept clean and be able to be plainly seen and read at all times; and
3. attached in a horizontal position at a distance of not more than 4 feet from the ground.

The Washington State Patrol may grant exceptions to the above license plate display requirements if the body construction of the vehicle makes compliance impossible.

Summary of Engrossed Bill:

Provided that the requirements specified below are met, the display of a single license plate properly attached to a vehicle that has two license plates properly attached may be temporarily obstructed by one or more of the following devices by the cargo the device is carrying:

- a trailer hitch;
- a wheelchair lift or wheelchair carrier;
- a trailer being towed by the vehicle, provided the trailer meets any applicable trailer license plate requirements; or
- a bicycle rack, ski rack, or luggage rack.

Provided that the requirements specified below are met, the display of a single license plate properly attached to a trailer may be obstructed by a device for transporting a forklift use for product delivery purposes. For purposes of license plate visibility, the single trailer license plate obstructed by a device for carrying a forklift may be relocated on the trailer or the towing vehicle to a position that is more than four feet from the ground.

In order for the above license plate visibility exception to apply, the device must be installed according to manufacturer specifications or generally accepted installation practices, and the device or cargo the device is carrying must not prevent the license plate from being read from one or more accessible viewing angles when the vehicle is parked, except if the device

is a trailer that meets trailer license plate requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The current policy is impacting people in a negative way and should be corrected. In the Pacific Northwest bicycling is an opportunity for families to enjoy the outdoors and is good for both physical and mental well-being. According to the Washington State Department of Transportation, bicycling plays a key role in the state's transportation system. Washington has been the most bike-friendly state for seven years in a row. A bicycle-loving family may want to ride in another area and will get a bike rack and attach it to the car. After being pulled over for obstructing the license plate and visiting with a judge, the judge realized that Seattle spends hundreds of millions of dollars on making bicycling better for everybody, so it doesn't make sense to give people tickets for putting a bicycle rack on a car. The judge dismissed the ticket and said to get the law changed. Enforcement is extremely rare, and everyone needs to understand the law. Tacoma doesn't enforce the rule but people will only be ticketed if the car has something on it that is illegal or dangerous. Go to any Costco and there will be at least 10 or 20 bikes on cars that don't meet the legal requirements. People don't understand the law. We need a law that makes sense. It is illegal to have a license plate blocked by a wheelchair, but wheelchair users have no choice. In order to get around, wheelchair users must carry the wheelchair in the car, often with a wheelchair lift. There can't be that many criminals putting wheelchairs on the backs of cars to steal something. This exception is needed. It is very important to make society accessible for people with disabilities who have no other way to get around. Please take people with disabilities into account on this bill.

(Opposed) There is concern about the manipulation of the language in this bill by others who may not have positive intentions. The word temporary is effectively meaningless. The rear plate is the primary means used by a law enforcement officer to identify a vehicle for traffic infractions, missing persons, wanted persons, or 911 calls. It is also used for tolling and parking enforcement, red light cameras, and other things. In 2013 the Legislature passed a bill to make it a criminal offense to hide or obscure the license plates and authorized law enforcement to impound vehicles equipped with license plate flipping devices. Some in our society could use the language to simply use a bike or storage rack to permanently block a license plate with dramatic effects that exacerbate the public safety challenges we have. Examples of where a smaller license plate is relocated temporarily and housed on the equipment itself so it is still clearly visible and fully complies with the law have been seen. A duplicate motorcycle-sized version of the plate could be attached to the

devices on the back of vehicles.

Persons Testifying: (In support) Representative My-Linh Thai, prime sponsor; Diana Stadden, The Arc of Washington State; and Bob Ellis.

(Opposed) James McMahan, Washington Association of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: None.